

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**IN RE ETHICON, INC., PELVIC REPAIR
SYSTEM PRODUCTS LIABILITY
LITIGATION**

**CIVIL ACTION NO. 2:12-md-02327
MDL No. 2327**

Hon. Judge Joseph R. Goodwin

**This Document Applies To:
Victoria A. King, et al. vs. Ethicon, Inc., et al.
2:15-cv-12997**

**PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION FOR ORDER REGARDING
DISPOSITION OF NON-REVISION GYNECARE TVT PRODUCTS CASES**

NOW COMES the above referenced Plaintiff, Victoria A. King, by and through the undersigned counsel, and in response to the motion of the Defendants, Ethicon, Inc. and Johnson & Johnson ("Ethicon") regarding the disposition of non-revision Gynecare TVT Products Cases [ECF No. 5313] sets forth the following:

On March 2, 2018, Ethicon filed *Defendants' Motion for Order Regarding Disposition of Non -Revision Gynecare TVT Products Cases* [ECF No. 5313], which proposes a disposition of cases in which the plaintiff has not undergone a revision procedure. Accompanying the motion as Exhibit A is a list of cases that Ethicon maintains are cases in which the plaintiff has a Gynecare TVT product implanted and has had no revision procedure performed.

The above-named plaintiff is included in Ethicon's list of plaintiffs who have not undergone a revision procedure. The above-named plaintiff has in fact undergone a revision procedure and is not properly included in Ethicon's motion. Plaintiff's counsel has informed Ethicon that the above-named plaintiff is not properly included in the Defendants' motion pertaining to non-revision cases. Plaintiff files this response to preserve her claim and avoid dismissal to the extent that Ethicon's motion is granted.

Respectfully submitted,

By: /s/ Charles M. Merkel, III
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CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this member case.

/s/ Charles M. Merkel, III
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